

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

<p>RALPH STRANO, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>KIPLINGER WASHINGTON EDITORS, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 21-cv-12987-TLL-PTM</p> <p>Hon. Thomas L. Ludington</p> <p>Mag. Judge Patricia T. Morris</p>
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**JOINT MOTION TO ADJOURN FINAL FAIRNESS HEARING**

Defendant Kiplinger Washington Editors, Inc. (“Defendant”) and Plaintiff Ralph Strano (“Plaintiff”) (collectively, the “Parties”) hereby jointly move the Court to adjourn the final fairness hearing presently set for June 28, 2023, until October 5, 2023. In support of this Motion, the Parties state as follows:

1. On January 6, 2023, the Court preliminary approved the Parties’ proposed class action settlement, which, upon final approval, will fully and finally resolve all of Plaintiff’s and the Settlement Class members’ claims against Defendant related to the Michigan Preservation of Personal Privacy Act (ECF No. 26).

2. The Court set a final fairness hearing for June 28, 2023 (ECF No. 26) and Plaintiff timely moved for final approval of the class action settlement on May 22, 2023 (ECF No. 30).

3. In preparing for the final fairness hearing, Class Counsel and other Plaintiff's Counsel learned that CAFA notice was not provided to all of the appropriate federal and state officials as required by 28 U.S.C. § 1715 following the filing of Plaintiff's revised motion for preliminary approval. *See* 28 U.S.C. § 1715(b) (providing that "each defendant that is participating in the proposed settlement shall serve upon the appropriate State official of each State in which a class member resides and the appropriate Federal official, a notice of the proposed settlement").

4. Upon learning that the notice disseminated to the relevant government officials did not strictly comply with CAFA's requirements, Class Counsel and other Plaintiff's Counsel immediately notified Defendant's counsel of the deficiency and then promptly met and conferred to discuss how to remedy the deficiency.

5. CAFA provides that "[a]n order giving final approval of a proposed settlement may not be issued earlier than 90 days after the later of the dates on which the appropriate Federal official and the appropriate State official are served with the notice required under" the statute. 28 U.S.C. § 1715(d).

6. Accordingly, in order to ensure complete compliance with CAFA, the Parties agree that the most prudent course forward is for Defendant's counsel to instruct the Settlement Administrator to re-issue CAFA notice to all of the appropriate government officials and for the Parties to jointly seek adjournment of the final fairness hearing until October 5, 2023, which will allow for at least 90 days to lapse between the Settlement Administrator's dissemination of the revised, CAFA-compliant notice and the final fairness hearing.

7. Should the Court grant the requested adjournment, Defendant will promptly instruct the Settlement Administrator to disseminate the revised CAFA notice to all of the appropriate government officials, and Class Counsel will promptly cause the Settlement Website to be updated to reflect the new date and time of the final fairness hearing.

8. As there have been no objections to the Settlement, the requested adjournment, if granted, will not affect any other dates in the case.

THEREFORE, the Parties respectfully request that the Court enter an Order adjourning the final fairness hearing until October 5, 2023.

Dated: June 5, 2023

/s/ Philip L. Fraietta

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**BRIEF IN SUPPORT OF JOINT MOTION TO ADJOURN FINAL  
FAIRNESS HEARING**

The Parties, by and through their undersigned attorneys, and in support of his Joint Motion to Adjourn the Final Fairness Hearing, rely on the content of the Joint Motion.

Dated: June 5, 2023

*/s/ Philip L. Fraietta*

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**CERTIFICATE OF SERVICE**

I, Philip L. Fraietta, an attorney, hereby certify that on June 5, 2023, I served the above and foregoing on all counsel of record by filing it electronically with the Clerk of the Court using the CM/ECF filing system.

/s/ Philip L. Fraietta

Philip L. Fraietta

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